

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Public Officer Prohibited Activities Act is
5 amended by changing Section 1 as follows:

6 (50 ILCS 105/1) (from Ch. 102, par. 1)

7 Sec. 1. County board. No member of a county board, during
8 the term of office for which he or she is elected, may be
9 appointed to, accept, or hold any office other than (i)
10 chairman of the county board or member of the regional planning
11 commission by appointment or election of the board of which he
12 or she is a member, ~~or~~ (ii) alderman of a city or member of the
13 board of trustees of a village or incorporated town if the
14 city, village, or incorporated town has fewer than 1,000
15 inhabitants and is located in a county having fewer than 50,000
16 inhabitants, or (iii) trustee of a forest preserve district
17 created under Section 18.5 of the Conservation District Act,
18 unless he or she first resigns from the office of county board
19 member or unless the holding of another office is authorized by
20 law. Any such prohibited appointment or election is void. This
21 Section shall not preclude a member of the county board from
22 being selected or from serving as a member of a County
23 Extension Board as provided in Section 7 of the County
24 Cooperative Extension Law, as a member of an Emergency
25 Telephone System Board as provided in Section 15.4 of the
26 Emergency Telephone System Act, or as appointed members of the
27 board of review as provided in Section 6-30 of the Property Tax
28 Code. Nothing in this Act shall be construed to prohibit an
29 elected county official from holding elected office in another
30 unit of local government so long as there is no contractual
31 relationship between the county and the other unit of local
32 government. This amendatory Act of 1995 is declarative of

1 existing law and is not a new enactment.

2 (Source: P.A. 91-732, eff. 1-1-01; 92-111, eff. 1-1-02.)

3 Section 10. The Conservation District Act is amended by
4 changing Sections 5, 13, and 15 and by adding Section 18.5 as
5 follows:

6 (70 ILCS 410/5) (from Ch. 96 1/2, par. 7105)

7 Sec. 5. Board of trustees.

8 (a) The affairs of a conservation district shall be managed
9 by a board which shall consist of 5 trustees, except as
10 otherwise provided in this Section. If the boundaries of the
11 district are coextensive with the boundaries of one county, the
12 trustees shall be residents of that county. If the district
13 embraces 2 counties, 3 trustees shall be residents of the
14 county with the larger population and 2 trustees shall be
15 residents of the other county. If the district embraces 3
16 counties, one trustee shall be a resident of the county with
17 the smallest population and each of the other counties shall
18 have 2 resident trustees. If the district embraces 4 counties,
19 2 trustees shall be residents of the county with the largest
20 population and each of the other counties shall have one
21 resident trustee. If the district embraces 5 counties, each
22 county shall have one resident trustee.

23 (b) A district that is entirely within a county of under
24 750,000 ~~300,000~~ inhabitants and contiguous to a county of more
25 than 2,000,000 inhabitants and that is authorized by referendum
26 as provided in subsection (d) of Section 15 to incur
27 indebtedness over 0.575% but not to exceed 1.725% shall have a
28 board consisting of 7 trustees, all of whom shall be residents
29 of the county. The additional 2 trustees shall be appointed by
30 the chairman of the county board, with the consent of the
31 county board, and shall hold office for terms expiring on June
32 30 as follows: one trustee after 4 years and one trustee after
33 5 years from the date of the referendum. Successor trustees
34 shall be appointed in the same manner no later than June 1

1 before the commencement of the term of the trustee.

2 (c) Trustees shall be qualified voters of such district who
3 do not hold any other public office and are not officers of any
4 political party. Trustees, if nominated by the county board
5 chairman as hereinafter provided, shall be selected on the
6 basis of their demonstrated interest in the purpose of
7 conservation districts.

8 (d) The chairman of the county board for the county of
9 which the trustee is a resident shall, with the consent of the
10 county board of that county, appoint the first trustees who
11 shall hold office for terms expiring on June 30 after one, 2,
12 3, 4, and 5 year periods respectively as determined and fixed
13 by lot. Thereafter, successor trustees shall be appointed in
14 the same manner no later than June 1 prior to the commencement
15 of term of the trustee.

16 (e) Each successor trustee shall serve for a term of 5
17 years. A vacancy occurring otherwise than by expiration of term
18 shall be filled for the unexpired term by appointment of a
19 trustee by the county board chairman of the county of which the
20 trustee shall be a resident, with the approval of the county
21 board of that county. A trustee who has served a full term of 5
22 years is ineligible to serve as a trustee for a period of one
23 year following the expiration of his term. When any trustee
24 during his term of office shall cease to be a bona fide
25 resident of the district he is disqualified as a trustee and
26 his office becomes vacant.

27 (f) Trustees shall serve without compensation, but may be
28 paid their actual and necessary expenses incurred in the
29 performance of their official duties.

30 (g) A trustee may be removed for cause by the county board
31 chairman for the county of which the trustee is a resident,
32 with the approval of the county board of that county, but every
33 such removal shall be by a written order, which shall be filed
34 with the county clerk.

35 (h) A conservation district with 5 trustees may determine
36 by majority vote of the board to increase the size of the board

1 to 7 trustees. With respect to a 7-member board, no more than 3
2 members may be residents of any township in a county under
3 township organization or of any congressional township in a
4 county not under township organization. In the case of a
5 7-member board representing a district that embraces 2
6 counties, 4 trustees shall be residents of the county with the
7 larger population and 3 trustees shall be residents of the
8 other county. If the district embraces 3 counties, 2 trustees
9 shall be residents of each of the 2 counties with the smallest
10 population and the largest county shall have 3 resident
11 trustees. If the district embraces 4 counties, one trustee
12 shall be a resident of the county with the smallest population
13 and each of the other counties shall have 2 resident trustees.
14 If the district embraces 5 counties, the 2 counties with the
15 largest population shall each have 2 resident trustees and each
16 of the other counties shall have one resident trustee. The
17 pertinent appointing authorities shall appoint the additional
18 2 trustees to initial terms as equally staggered as possible
19 from the terms of the trustees already appointed from that
20 township or county so that 2 trustees representing the same
21 area shall not be succeeded in the same year.

22 (Source: P.A. 90-195, eff. 7-24-97; 91-629, eff. 8-19-99.)

23 (70 ILCS 410/13) (from Ch. 96 1/2, par. 7114)

24 Sec. 13. The fiscal year of each district shall commence
25 April 1 and extend through the following March 31.

26 The board shall, within the first quarter of each fiscal
27 year, adopt a combined annual budget and appropriation
28 ordinance as provided in the Illinois Municipal Budget Law. In
29 a district located entirely within a county with a population
30 of less than 750,000 ~~300,000~~ that is contiguous to a county
31 with a population of more than 2,000,000, the district's
32 combined annual budget and appropriation ordinance shall not be
33 considered to be adopted until it is also adopted by resolution
34 of the county board of the county in which the district is
35 located.

1 Except as otherwise provided in this Act, a district may
2 annually levy taxes upon all the taxable property therein at
3 the value thereof, as equalized or assessed by the Department
4 of Revenue, to be extended at not more than the rates and for
5 the purposes specified hereinafter:

6 (1) 0.025% for the general purposes of the district,
7 including acquisition and development of real property
8 which may be in excess of current requirements and allowed
9 to accumulate from year to year, and for any purposes
10 specified by the district; however, no tax may be extended
11 at a rate that will result in accumulation of any amount
12 representing more than 0.075% of the equalized assessed
13 valuation of the district.

14 (2) 0.075% for acquisition of real property, which may
15 be in excess of current requirements and allowed to
16 accumulate from year to year, and for any purposes
17 specified by the district; however, no tax may be extended
18 at a rate that will result in accumulation of any amount
19 representing more than 0.25% of the equalized assessed
20 valuation of the district.

21 (3) 0.1%, in lieu of the two rates specified in (1) and
22 (2) above, for the general purposes of the district,
23 including the acquisition, development, operation and
24 maintenance of real property which may be in excess of
25 current requirements and allowed to accumulate from year to
26 year, and for any purposes specified by the district;
27 however, no tax may be extended at a rate that will result
28 in accumulation of any amount representing more than 0.325%
29 of the equalized assessed valuation of the district.

30 Except as provided in some other Act, a district may not
31 levy annual taxes, for all its purposes in the aggregate, in
32 excess of 0.1% of the value, as equalized or assessed by the
33 Department of Revenue, of the taxable property therein.

34 After the adoption of the combined budget and appropriation
35 ordinance and within the second quarter of each fiscal year,
36 the board shall ascertain the total amount of the

1 appropriations legally made which are to be provided for from
2 tax levies for the current year. Then, by an ordinance
3 specifying in detail the purposes for which such appropriations
4 have been made and the amounts appropriated for such purposes,
5 the board shall levy not to exceed the total amount so
6 ascertained upon all the property subject to taxation within
7 the district as the same is assessed and equalized for state
8 and county purposes for the current year. A certified copy of
9 such ordinance shall be filed on or before the first Tuesday in
10 October with the clerk of each county wherein the district or
11 any part thereof is located.

12 (Source: P.A. 91-629, eff. 8-19-99.)

13 (70 ILCS 410/15) (from Ch. 96 1/2, par. 7116)

14 Sec. 15. (a) Whenever a district does not have sufficient
15 money in its treasury to meet all necessary expenses and
16 liabilities thereof, it may issue tax anticipation warrants.
17 Such issue of tax anticipation warrants shall be subject to the
18 provisions of Section 2 of "An Act to provide for the manner of
19 issuing warrants upon the treasurer of the State or of any
20 county, township, or other municipal corporation or quasi
21 municipal corporation, or of any farm drainage district, river
22 district, drainage and levee district, fire protection
23 district and jurors' certificates", approved June 27, 1913, as
24 now and hereafter amended.

25 (b) For the purpose of acquisition of real property, or
26 rights thereto, a district may incur indebtedness and, as
27 evidence of the indebtedness thus created, may issue and sell
28 bonds without first obtaining the consent of the legal voters
29 of the district.

30 (c) For the purpose of development of real property, a
31 district may incur indebtedness and, as evidence of the
32 indebtedness thus created, may issue and sell bonds only after
33 the proposition to issue bonds has been submitted to the legal
34 voters of the district at an election and has been approved by
35 a majority of those voting on the proposition. Such election is

1 subject to Section 15.1 of this Act.

2 (d) No district shall become indebted in any manner or for
3 any purpose, to any amount including existing indebtedness in
4 the aggregate exceeding 0.575% of the value, as equalized or
5 assessed by the Department of Revenue, of the taxable property
6 therein; except that a district entirely within a county of
7 under 750,000 ~~300,000~~ inhabitants and contiguous to a county of
8 more than 2,000,000 inhabitants may incur indebtedness,
9 including existing indebtedness, in the aggregate not
10 exceeding 1.725% of that value if the aggregate indebtedness
11 over 0.575% is submitted to the legal voters of the district at
12 an election and is approved by a majority of those voting on
13 the proposition as provided in Section 15.1.

14 (e) Before or at the time of issuing bonds for acquisition
15 or development of real property, the district shall provide by
16 ordinance for the collection of an annual tax, in addition to
17 all other taxes authorized by this act, sufficient to pay such
18 bonds and the interest thereon as the same respectively become
19 due. Such bonds shall be divided into series, the first of
20 which shall mature not later than 5 years after the date of
21 issue and the last of which shall mature not later than 20
22 years after the date of issue; shall bear interest at a rate or
23 rates not exceeding the maximum rate permitted in "An Act to
24 authorize public corporations to issue bonds, other evidences
25 of indebtedness and tax anticipation warrants subject to
26 interest rate limitations set forth therein", approved May 26,
27 1970, as now or hereafter amended; shall be in such form as the
28 district shall by resolution provide and shall be payable as to
29 both principal and interest from the proceeds of the annual
30 levy of taxes authorized to be levied by this Section, or so
31 much thereof as will be sufficient to pay the principal thereof
32 and the interest thereon. Prior to the authorization and
33 issuance of such bonds the district may, with or without
34 notice, negotiate and enter into an agreement or agreements
35 with any bank, investment banker, trust company or insurance
36 company or group thereof whereunder the marketing of such bonds

1 may be assured and consummated. The proceeds of such bonds
2 shall be deposited in a special fund, to be kept separate and
3 apart from all other funds of the conservation district.

4 (Source: P.A. 91-629, eff. 8-19-99.)

5 (70 ILCS 410/18.5 new)

6 Sec. 18.5. Dissolution of conservation district and
7 creation of forest preserve district.

8 (a) Notwithstanding any provision of law to the contrary,
9 if the boundaries of a conservation district are coextensive
10 with the boundaries of one county, then the county board may
11 adopt a resolution to submit the question of whether the
12 conservation district shall be dissolved and, upon the
13 dissolution of the conservation district, a forest preserve
14 district created. The question shall be submitted to the
15 electors of the conservation district at a regular election and
16 approved by a majority of the electors voting on the question.
17 The county board must certify the question to the proper
18 election authorities, which must submit the question at an
19 election in accordance with the Election Code.

20 The election authorities must submit the question in
21 substantially the following form:

22 Shall the (insert name of conservation district) be
23 dissolved and, upon its dissolution, a forest preserve
24 district created with boundaries that are coextensive with
25 the boundaries of (insert name of county)?

26 The election authorities must record the votes as "Yes" or
27 "No".

28 If a majority of the electors voting on the question vote
29 in the affirmative, then, on the thirtieth day after the
30 results of the referendum are certified, the conservation
31 district is dissolved and the forest preserve district is
32 created. The terms of all trustees of the conservation district
33 are terminated and the county board members shall serve ex
34 officio as the commissioners of the forest preserve district.
35 The chairman of the county board shall serve as chairman of the

1 board of commissioners of the forest preserve district.

2 (b) Each county board member shall serve ex officio as a
3 commissioner of the forest preserve district until the
4 expiration of his or her term as a county board member or until
5 the member's position on the county board is otherwise vacated.
6 Upon the expiration of the term of any county board member
7 serving as a commissioner or upon the occurrence of any other
8 vacancy on the county board, the office of commissioner shall
9 be filled by that county board member's successor on the county
10 board.

11 (c) The forest preserve district shall serve as the
12 successor entity to the dissolved conservation district and
13 references to the dissolved conservation district or to its
14 officers or employees in any document, contract, agreement, or
15 law shall, in appropriate contexts, be deemed to refer to the
16 successor forest preserve district. Thirty days after the
17 dissolution of the conservation district, all of its assets,
18 liabilities, property (both real and personal), employees,
19 books, and records are transferred to the forest preserve
20 district by operation of law. All rules and ordinances of the
21 dissolved conservation district shall remain in effect as rules
22 and ordinances of the forest preserve district until amended or
23 repealed by the forest preserve district.

24 (d) If there are any bonds of the conservation district
25 outstanding and unpaid at the time the conservation district is
26 dissolved, the forest preserve district shall be liable for
27 that bond indebtedness and the forest preserve district may
28 continue to levy and extend taxes upon the taxable property in
29 that territory for the purpose of amortizing those bonds until
30 such time as the bonds are retired.

31 (e) The county board members may be reimbursed for their
32 reasonable expenses actually incurred in performing their
33 official duties as members of the board of commissioners of the
34 forest preserve district in accordance with the provisions of
35 Section 3a of the Downstate Forest Preserve Act. Any
36 reimbursement paid under this subsection shall be paid by the

1 forest preserve district.

2 (f) A forest preserve district created under this Section
3 shall have the same powers, duties, and authority as a forest
4 preserve district created under the Downstate Forest Preserve
5 District Act, except that it shall have the same bonding and
6 taxing authority as a conservation district under the
7 Conservation District Act. To the extent that any provision of
8 this Section conflicts with any provision of the Downstate
9 Forest Preserve District Act, this Section controls.

10 Section 15. The Downstate Forest Preserve District Act is
11 amended by changing Sections 3c, 13 and 13.1 and by adding
12 Section 13.1a as follows:

13 (70 ILCS 805/3c)

14 Sec. 3c. Elected board of commissioners in certain
15 counties. If the boundaries of a district are co-extensive with
16 the boundaries of a county having a population of more than
17 800,000 but less than 3,000,000, all commissioners of the
18 forest preserve district shall be elected from the same
19 districts as members of the county board beginning with the
20 general election held in 2002 and each succeeding general
21 election. One commissioner shall be elected from each district.
22 At their first meeting after their election in 2002 and
23 following each subsequent decennial reapportionment of the
24 county under Division 2-3 of the Counties Code, the elected
25 commissioners shall publicly by lot divide themselves into 2
26 groups, as equal in size as possible. Commissioners from the
27 first group shall serve for terms of 2, 4, and 4 years; and
28 commissioners from the second group shall serve terms of 4, 4,
29 and 2 years. Beginning with the general election in 2002, the
30 president of the board of commissioners of the forest preserve
31 district shall be elected by the voters of the county, rather
32 than by the commissioners. The president shall be a resident of
33 the county and shall be elected throughout the county for a
34 4-year term without having been first elected as commissioner

1 of the forest preserve district. Each commissioner shall be a
2 resident of the county board district from which he or she was
3 elected not later than the date of the commencement of the term
4 of office. The term of office for the president and
5 commissioners elected under this Section shall commence on the
6 first Monday of the month following the month of election.
7 Neither a commissioner nor the president of the board of
8 commissioners of that forest preserve district shall serve
9 simultaneously as member or chairman of the county board. No
10 person shall seek election to both the forest preserve
11 commission and the county board at the same election. The
12 compensation for the president shall be an amount equal to 85%
13 of the annual salary of the county board chairman. The
14 president, with the advice and consent of the board of
15 commissioners shall appoint a secretary, treasurer, and such
16 other officers as deemed necessary by the board of
17 commissioners, which officers need not be members of the board
18 of commissioners. The president shall have the powers and
19 duties as specified in Section 12 of this Act.

20 Candidates for president and commissioner shall be
21 candidates of established political parties.

22 If a vacancy in the office of president or commissioner
23 occurs, other than by expiration of the president's or
24 commissioner's term, the forest preserve district board of
25 commissioners shall declare that a vacancy exists and
26 notification of the vacancy shall be given to the county
27 central committee of each established political party within 3
28 business days after the occurrence of the vacancy. If the
29 vacancy occurs in the office of forest preserve district
30 commissioner, the president of the board of commissioners
31 shall, within 60 days after the date of the vacancy, with the
32 advice and consent of other commissioners then serving, appoint
33 a person to serve for the remainder of the unexpired term. The
34 appointee shall be affiliated with the same political party as
35 the commissioner in whose office the vacancy occurred and be a
36 resident of such district. If a vacancy in the office of

1 president occurs, other than by expiration of the president's
2 term, the remaining members of the board of commissioners
3 shall, within 60 days after the vacancy, appoint one of the
4 commissioners to serve as president for the remainder of the
5 unexpired term. In that case, the office of the commissioner
6 who is appointed to serve as president shall be deemed vacant
7 and shall be filled within 60 days by appointment of the
8 president with the advice and consent of the other forest
9 preserve district commissioners. The commissioner who is
10 appointed to fill a vacancy in the office of president shall be
11 affiliated with the same political party as the person who
12 occupied the office of president prior to the vacancy. A person
13 appointed to fill a vacancy in the office of president or
14 commissioner shall establish his or her party affiliation by
15 his or her record of voting in primary elections or by holding
16 or having held an office in an established political party
17 organization before the appointment. If the appointee has not
18 voted in a party primary election or is not holding or has not
19 held an office in an established political party organization
20 before the appointment, the appointee shall establish his or
21 her political party affiliation by his or her record of
22 participating in an established political party's nomination
23 or election caucus. If, however, more than 28 months remain in
24 the unexpired term of a commissioner or the president, the
25 appointment shall be until the next general election, at which
26 time the vacated office of commissioner or president shall be
27 filled by election for the remainder of the term.
28 Notwithstanding any law to the contrary, if a vacancy occurs
29 after the last day provided in Section 7-12 of the Election
30 Code for filing nomination papers for the office of president
31 of a forest preserve district where that office is elected as
32 provided for in this Section, or as set forth in Section 7-61
33 of the Election Code, a vacancy in nomination shall be filled
34 by the passage of a resolution by the nominating committee of
35 the affected political party within the time periods specified
36 in the Election Code. The nominating committee shall consist of

1 the chairman of the county central committee and the township
2 chairmen of the affected political party. All other vacancies
3 in nomination shall be filled in accordance with the provisions
4 of the Election Code.

5 The president and commissioners elected under this Section
6 may be reimbursed for their reasonable expenses actually
7 incurred in performing their official duties under this Act in
8 accordance with the provisions of Section 3a. The reimbursement
9 paid under this Section shall be paid by the forest preserve
10 district.

11 Compensation for forest preserve commissioners elected
12 under this Section shall be the same as that of county board
13 members of the county with which the forest preserve district's
14 boundaries are co-extensive.

15 This Section does not apply to a forest preserve district
16 created under Section 18.5 of the Conservation District Act.

17 (Source: P.A. 91-933, eff. 12-30-00; 92-583, eff. 6-26-02.)

18 (70 ILCS 805/13) (from Ch. 96 1/2, par. 6323)

19 Sec. 13. Bonds; limitation on indebtedness. The board of
20 any forest preserve district organized hereunder may, for any
21 of the purposes enumerated in this Act, borrow money upon the
22 faith and credit of such district, and may issue bonds
23 therefor. However, a district with a population of less than
24 3,000,000 may not become indebted in any manner or for any
25 purpose to an amount including existing indebtedness in the
26 aggregate exceeding 2.3% of the assessed value of the taxable
27 property therein, as ascertained by the last equalized
28 assessment for State and county purposes. No district may incur
29 (i) indebtedness in excess of .3% of the assessed value of
30 taxable property in the district, as ascertained by the last
31 equalized assessment for State and county purposes, for the
32 development of forest preserve lands held by the district, or
33 (ii) indebtedness for any other purpose except the acquisition
34 of land including acquiring lands in fee simple along or
35 enclosing water courses, drainage ways, lakes, ponds, planned

1 impoundments or elsewhere which are required to store flood
2 waters or control other drainage and water conditions necessary
3 for the preservation and management of the water resources of
4 the District, unless the proposition to issue bonds or
5 otherwise incur indebtedness is certified by the board to the
6 proper election officials who shall submit the proposition at
7 an election in accordance with the general election law, and
8 approved by a majority of those voting upon the proposition. No
9 district containing fewer than 3,000,000 inhabitants may incur
10 indebtedness for the acquisition of land or lands for any
11 purpose in excess of 55,000 acres, including all lands
12 theretofore acquired, unless the proposition to issue bonds or
13 otherwise incur indebtedness is first submitted to the voters
14 of the district at a referendum in accordance with the general
15 election law and approved by a majority of those voting upon
16 the proposition. Before or at the time of issuing bonds, the
17 board shall provide by ordinance for the collection of an
18 annual tax sufficient to pay the interest on the bonds as it
19 falls due, and to pay the bonds as they mature. All bonds
20 issued by any forest preserve district must be divided into
21 series, the first of which matures not later than 5 years after
22 the date of issue and the last of which matures not later than
23 20 years after the date of issue.

24 This Section does not apply to a forest preserve district
25 created under Section 18.5 of the Conservation District Act.

26 (Source: P.A. 83-927.)

27 (70 ILCS 805/13.1) (from Ch. 96 1/2, par. 6324)

28 Sec. 13.1. Tax levies. After the first Monday in October
29 and by the first Monday in December in each year, the board
30 shall levy the general taxes for the district by general
31 categories for the next fiscal year. A certified copy of the
32 levy ordinance shall be filed with the county clerk by the last
33 Tuesday in December each year.

34 In forest preserve districts with a population of less than
35 3,000,000, the amount of taxes levied for general corporate

1 purposes for a fiscal year may not exceed the rate of .06% of
2 the value, as equalized or assessed by the Department of
3 Revenue, of the taxable property therein. In addition, in
4 forest preserve districts having a population of 100,000 or
5 more but less than 3,000,000, the board may levy taxes for
6 constructing, restoring reconditioning, reconstructing and
7 acquiring improvements and for the development of the forests
8 and lands of such district, the amount of which tax each fiscal
9 year shall be extended at a rate not to exceed .025% of the
10 assessed value of all taxable property as equalized by the
11 Department of Revenue.

12 All such taxes and rates are exclusive of the taxes
13 required for the payment of the principal of and interest on
14 bonds, and exclusive of taxes levied for employees' annuity and
15 benefit purposes.

16 The rate of tax levied for general corporate purposes in a
17 forest preserve district may not be increased by virtue of this
18 amendatory Act of 1977 unless the board first adopts a
19 resolution authorizing such increase and publishes notice
20 thereof in a newspaper having general circulation in the
21 district at least once not less than 45 days prior to the
22 effective date of the increase. The notice shall include a
23 statement of (1) the specific number of voters required to sign
24 a petition requesting that the question of the adoption of the
25 resolution be submitted to the electors of the district; (2)
26 the time in which the petition must be filed; and (3) the date
27 of the prospective referendum. The Secretary of the district
28 shall provide a petition form to any individual requesting one.
29 If, no later than 30 days after the publication of such notice,
30 petitions signed by voters of the district equal to 10% or more
31 of the registered voters of the district, as determined by
32 reference to the number of voters registered at the next
33 preceding general election, and residing in the district are
34 presented to the board expressing opposition to the increase,
35 the proposition must first be certified by the board to the
36 proper election officials, who shall submit the proposition to

1 the legal voters of the district at an election in accordance
2 with the general election law and approved by a majority of
3 those voting on the proposition.

4 The rate of the tax levied for general corporate purposes
5 in a forest preserve district may be increased, up to the
6 maximum rate identified in this Section, by the Board by a
7 resolution calling for the submission of the question of
8 increasing the rate to the voters of the district in accordance
9 with the general election law. The question must be in
10 substantially the following form:

11 "Shall (name of district) be authorized to establish
12 its general corporate tax rate at (insert rate) on the
13 equalized assessed value on taxable property located
14 within the district for its general purposes, including
15 education, outdoor recreation, maintenance, operations,
16 public safety at the forest preserves, trails, and other
17 properties of the district (and, optionally, insert any
18 other lawful purposes or programs determined by the Board).

19 The ballot must have printed on it, but not as part of the
20 proposition submitted, the following: "The approximate impact
21 of the proposed increase on the owner of a single-family home
22 having a market value of (insert value) would be (insert
23 amount) in the first year of the increase if the increase is
24 fully implemented." The ballot may have printed on it, but not
25 as part of the proposition, one or both of the following: "The
26 last tax rate extended for the purposes of the district was
27 (insert rate). The last rate increase approved for the purposes
28 of the district was in (insert year)." No other information
29 needs to be included on the ballot.

30 The votes must be recorded as "Yes" or "No".

31 If a majority of the electors voting on the question vote
32 in the affirmative, the district may thereafter levy the tax.

33 This Section does not apply to a forest preserve district
34 established under Section 18.5 of the Conservation District
35 Act.

36 (Source: P.A. 92-103, eff. 7-20-01.)

1 (70 ILCS 805/13.1a new)

2 Sec. 13.1a. Forest preserve districts created under
3 Conservation District Act. Notwithstanding any other provision
4 of law to the contrary, a forest preserve district created
5 under Section 18.5 of the Conservation District Act shall have
6 the same powers, duties, and authority as a forest preserve
7 district created under this Act, except that it shall have the
8 same bonding and taxing authority as a conservation district
9 under the Conservation District Act.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.